

28113. Adulteration of maple sirup. U. S. v. 85 Cans of Maple Sirup. Decree of condemnation and destruction. (F. & D. No. 39876. Sample Nos. 21146-C, 21150-C.)

This article contained excessive lead, a poisonous or deleterious ingredient.

On June 19, 1937, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 85 gallon cans of maple sirup at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about May 29, 1937, by McPhileny Bros., from Lowville, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "1 Gal. Pure Maple Syrup McPhileny Bros. Petries Corners N. Y."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On November 1, 1937, no claimant having appeared, judgment of forfeiture and destruction was entered.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28114. Adulteration of raisins. U. S. v. 93 Cases of Raisins. Default decree of condemnation and destruction. (F. & D. No. 39664. Sample No. 42047-C.)

This product contained hydrocyanic acid in an amount which might have rendered it injurious to health.

On or about June 16, 1937, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 93 cases of raisins at Norfolk, Va., alleging that the article had been shipped in interstate commerce on or about March 5, 1937, from Littleton, N. C., by the Allston Grocery Co., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "De Luxe Brand Malaga Layer Raisins Packed by Del Rey Packing Co. Del Rey, Calif."

The article was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, hydrocyanic acid, which might have rendered it injurious to health.

On October 14, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28115. Adulteration of apple butter. U. S. v. 272 Cases of Apple Butter. Decree of condemnation and forfeiture and order of destruction. (F. & D. No. 39659. Sample No. 4918-C.)

This article contained worm and insect fragments and rodent hairs.

On or about May 28, 1937, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 272 cases of apple butter at Carbondale, Ill., alleging that the article had been shipped in interstate commerce on or about March 29, 1937, by the Gruber-Thomas Preserve Co. from St. Louis, Mo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Country Club Brand Apple Butter * * * Distributed by The Kroger Grocery & Baking Co., General Offices Cincinnati, Ohio."

Adulteration was alleged in substance in that the article consisted in part of a filthy vegetable substance.

On December 10, 1937, default decree of condemnation and forfeiture was entered and the article was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28116. Adulteration of tomato catsup. U. S. v. 152 Cases, 525 Cases, and 108 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. & D. Nos. 39620, 39627, 39646. Sample Nos. 35400-C, 35409-C, 35410-C.)

This product contained excessive mold.

On May 17, 19, and 21, 1937, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 785 cases of tomato catsup at St. Louis, Mo., alleging that the article had been shipped in interstate commerce in part on or about November 3 and 28, 1936, from

Portland, Ind., and in part on or about March 20 and April 1, 1937, from Sunman, Ind., by the Naas Corporation of Indiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Steuben Brand [or "Na-Co High Quality"] * * * Tomato Catsup The Naas Corporation of Indiana, Portland, Ind. [or "Sunman, Ind."]."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On October 12, 1937, no claimant having appeared, judgments of condemnation were entered and the article was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28117. Adulteration of canned beets. U. S. v. 466 Cases of Beets. Default decree of condemnation and destruction. (F. & D. No. 39590. Sample No. 33877-C.)

This product was in part decomposed.

On May 12, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 466 cases of canned beets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about March 18, 1937, by the Clyman Canning Co. from Clyman, Wis., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cherry Valley Sliced Beets Distributed by Jewel Tea Co. Inc. Barrington, Ill."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On October 15, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed, with the exception of one case from each of 8 codes, which were ordered retained for investigational purposes and placed in the custody of this Department.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28118. Adulteration and misbranding of tomato puree. U. S. v. 41 Cases and 42 Cases of Tomato Puree. Decrees of condemnation. Product released under bond for relabeling. (F. & D. Nos. 39506, 39507. Sample Nos. 34659-C, 34667-C.)

This product was deficient in tomato solids.

On or about April 28, 1937, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 42 cases of tomato puree at Laurel, Miss., and 41 cases of tomato puree at Hattiesburg, Miss., alleging that the article had been shipped in interstate commerce on or about March 19, 1937, from New Orleans, La., by the Taormina Corporation, New Orleans, La., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Buffalo Brand Tomato Puree * * * Puree di Pomodoro * * * Packed by Taormina Corp. New Orleans, La., Donna, Texas."

It was alleged to be adulterated in that a substance deficient in tomato solids had been substituted for tomato puree, which it purported to be.

Misbranding was alleged in that the statements, "Tomato Puree" and "Puree di Pomodoro," were false and misleading and tended to deceive and mislead the purchaser when applied to an article deficient in tomato solids.

On August 23, 1937, the Taormina Corporation, claimant, having admitted the allegations of the libel, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be properly relabeled.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28119. Adulteration and misbranding of canned salmon. U. S. v. North Coast Fisheries Co., Inc. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 39473. Sample Nos. 21478-C, 28455-C.)

This product was labeled pink salmon; whereas one lot consisted in part of chum salmon and the other was in part decomposed.

On June 14, 1937, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against North Coast Fisheries Co., Inc., Seattle, Wash., alleging shipment by the defendant on or about September 12, 1936, and October 13, 1936, from the State of Washington into the States of Missouri and Pennsylvania, respectively, of quantities of canned salmon, of which one